

CLOSED, ECF, LEAD

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-03461-PKC**

Iraqi Refugee Assistance Project v. United States Department of
Homeland Security
Assigned to: Judge P. Kevin Castel
Member case: [\(View Member Case\)](#)
Related Case: [1:12-cv-03480-PKC](#)
Cause: 05:552 Freedom of Information Act

Date Filed: 05/01/2012
Date Terminated: 03/05/2013
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Iraqi Refugee Assistance Project

represented by **Matthew Mark D'Amore**
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TERMINATED: 06/04/2012
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V.

Defendant

**United States Department of Homeland
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V.

Consolidated Defendant**United States Department of State**represented by **Emily Ewell Daughtry**
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Date Filed	#	Docket Text
05/01/2012	<u>1</u>	COMPLAINT against United States Department of Homeland Security. (Filing Fee \$ 350.00, Receipt Number 6957) Document filed by Iraqi Refugee Assistance Project.(ama) (Additional attachment(s) added on 5/2/2012: # <u>1</u> ex 1, # <u>2</u> ex 2, # <u>3</u> ex 3, # <u>4</u> ex 4, # <u>5</u> ex 5, # <u>6</u> ex 6, # <u>7</u> ex 7, # <u>8</u> ex 8, # <u>9</u> ex 9, # <u>10</u> ex 10-a, # <u>11</u> ex 10b, # <u>12</u> ex 11a, # <u>13</u> ex 11b, # <u>14</u> ex 12, # <u>15</u> ex 13, # <u>16</u> ex 14, # <u>17</u> ex 15a, # <u>18</u> ex 15b, # <u>19</u> ex 15c, # <u>20</u> ex 15d, # <u>21</u> ex 15e, # <u>22</u> ex 15 f, # <u>23</u> ex 15g, # <u>24</u> ex 15h, # <u>25</u> ex 15 i, # <u>26</u> ex 15k, # <u>27</u> ex 15 k, # <u>28</u> ex 15 l, # <u>29</u> ex 15m, # <u>30</u> ex 15n, # <u>31</u> ex 15 o, # <u>32</u> ex 15 p, # <u>33</u> ex 15 q, # <u>34</u> ex 15 r, # <u>35</u> ex 15 s, # <u>36</u> ex 16, # <u>37</u> ex 17, # <u>38</u> ex 18, # <u>39</u> ex 19, # <u>40</u> ex 20) (ama). (Entered: 05/01/2012)
05/01/2012		SUMMONS ISSUED as to United States Department of Homeland Security, U.S. Attorney and U.S. Attorney General. (ama) (Entered: 05/01/2012)
05/01/2012		Magistrate Judge Andrew J. Peck is so designated. (ama) (Entered: 05/01/2012)
05/01/2012		Case Designated ECF. (ama) (Entered: 05/01/2012)
05/02/2012	<u>2</u>	MOTION for Jason A. Malinsky to Appear Pro Hac Vice. Document filed by Iraqi Refugee Assistance Project.(pgu) (Entered: 05/03/2012)
05/03/2012	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Iraqi Refugee Assistance Project.(D'Amore, Matthew) (Entered: 05/03/2012)
05/04/2012	<u>4</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>2</u> Motion for Jason A. Malinsky to Appear Pro Hac Vice. (Signed by Judge P. Kevin Castel on 5/3/2012) (js) (Entered: 05/04/2012)
05/04/2012	<u>5</u>	MOTION for L. Scott Oliver to Appear Pro Hac Vice. Document filed by Iraqi Refugee Assistance Project.(pgu) (Entered: 05/04/2012)
05/08/2012		CASHIERS OFFICE REMARK on <u>2</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 05/02/2012, Receipt Number 1037039. (jd) (Entered: 05/08/2012)
05/09/2012		CASHIERS OFFICE REMARK on <u>5</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 05/04/2012, Receipt Number 1037277. (jd) (Entered: 05/09/2012)
05/10/2012	<u>6</u>	ORDER INITIAL PRETRIAL CONFERENCE: Initial Conference set for 7/6/2012 at 04:00 PM in Courtroom 12C, 500 Pearl Street, New York, NY 10007 before Judge P. Kevin Castel and as further set forth in this order. (Signed by Judge P. Kevin Castel on 5/10/2012) (lmb) (Entered: 05/10/2012)
05/10/2012	<u>7</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>5</u> Motion for L. Scott Oliver to Appear Pro Hac Vice. (Signed by Judge P. Kevin Castel on 5/10/2012) (lmb) (Entered: 05/10/2012)
05/11/2012	<u>8</u>	SUMMONS RETURNED EXECUTED Summons and Complaint,,, served. United States Department of Homeland Security served on 5/8/2012, answer due 7/9/2012. Service was accepted by Charlie Johnson. Service was made by Certified Mail. Document filed by Iraqi Refugee Assistance Project. (Malinsky, Jason) (Entered: 05/11/2012)

05/11/2012	<u>9</u>	SUMMONS RETURNED EXECUTED Summons and Complaint,,, served. United States Department of Homeland Security served on 5/2/2012, answer due 7/9/2012. Service was made by Certified Mail. Document filed by Iraqi Refugee Assistance Project. (Malinsky, Jason) (Entered: 05/11/2012)
05/14/2012	<u>10</u>	AFFIDAVIT OF SERVICE of Order re Initial Pretrial Conference on 05/10/2012. Service was made by Certified Mail. Document filed by Iraqi Refugee Assistance Project. (Malinsky, Jason) (Entered: 05/14/2012)
05/31/2012	<u>11</u>	ANSWER to <u>1</u> Complaint,,, Document filed by United States Department of Homeland Security.(Daughtry, Emily) (Entered: 05/31/2012)
06/04/2012	<u>12</u>	ORDER OF WITHDRAWAL OF JASON A. MALINSKY, ESQ.: Upon consideration of the request to withdraw by Jason A. Malinsky, Esq., this Court orders that Jason A. Malinsky, Esq. be withdrawn from this case, and further orders that Mr. Malinsky be removed from the Court's electronic service list. (Signed by Judge P. Kevin Castel on 6/4/2012) (mro) (Entered: 06/04/2012)
06/11/2012	<u>13</u>	ENDORSED LETTER addressed to Judge P. Kevin Castel from Emily E. Daughtry dated 6/7/2012 re: Counsel for Defendant writes on behalf of both parties to respectfully request an adjournment of the initial pretrial conference in the above-referenced case. ENDORSEMENT: Counsel for the parties are directed to meet and confer to explore a consensual resolution. Conference adjourned from July 6, 2012 to July 31 at 12:30 p.m. (Signed by Judge P. Kevin Castel on 6/11/2012) (pl) Modified on 6/11/2012 (pl). (Entered: 06/11/2012)
06/11/2012		Set/Reset Hearings: Initial Conference set for 7/31/2012 at 12:30 PM before Judge P. Kevin Castel. (pl) (Entered: 06/11/2012)
06/12/2012	<u>14</u>	NOTICE OF APPEARANCE by David Seaton Brown on behalf of Iraqi Refugee Assistance Project (Brown, David) (Entered: 06/12/2012)
07/31/2012		Minute Entry for proceedings held before Judge P. Kevin Castel: Initial Pretrial Conference held on 7/31/2012. Next conference is scheduled for October 10, 2012 at 12:30 p.m. (Nacanthier, Florence) (Entered: 07/31/2012)
07/31/2012	<u>15</u>	ORDER FOLLOWING PRETRIAL CONFERENCE: As result of a pretrial conference held before the Court today, the following is ORDERED: By agreement, 12cv3480(PKC) is consolidated with 12cv3461(PKC). 12cv3480(PKC) is Administratively Closed. The parties are presently working on a stipulation which may resolve the case and require approximately 30 days to do so. The next Case Management Conference will be held on October 10, 2012 at 12:30 pm. (Signed by Judge P. Kevin Castel on 7/31/2012) (pl) Modified on 8/1/2012 (pl). Modified on 8/3/2012 (pl). (Entered: 08/01/2012)
07/31/2012		Set/Reset Hearings: Next Case Management Conference set for 10/10/2012 at 12:30 PM before Judge P. Kevin Castel. (pl) (Entered: 08/01/2012)
10/09/2012	<u>16</u>	ENDORSED LETTER addressed to Judge P. Kevin Castel from Emily E. Daughtry dated 10/9/2012 re: I write on behalf of both parties to respectfully request a one-month adjournment of the conference that is currently scheduled for tomorrow, October 10, 2012, at 12:30pm. ENDORSEMENT: Conference Adjourned from October 10, 2012 to Nov. 14, 2012 at 12:00 p.m. (Status Conference set for 11/14/2012 at 12:00 PM before Judge P. Kevin Castel.) (Signed by Judge P. Kevin Castel on 10/9/2012) (dj) (Entered: 10/10/2012)
11/14/2012	<u>17</u>	ENDORSED LETTER addressed to Judge P. Kevin Castel from Emily E. Daughtry dated 11/9/2012 re: Counsels jointly request a three-week adjournment of the conference that is currently scheduled for Wednesday, November 14, 2012, at 12:00. ENDORSEMENT: Conference Adjourned From: Nov. 14 To: Dec. 5 at 12:00 pm. (Status Conference set for 12/5/2012 at 12:00 PM before Judge P. Kevin Castel.) (Signed by Judge P. Kevin Castel on 11/14/2012) (ft) (Entered: 11/14/2012)
12/05/2012		Minute Entry for proceedings held before Judge P. Kevin Castel: Status Conference held on 12/5/2012. Next conference is scheduled for February 14, 2013 at 12:00 p.m. (Nacanthier, Florence) (Entered: 12/05/2012)

12/05/2012	<u>18</u>	ORDER FOLLOWING PRETRIAL CONFERENCE: The parties are continuing to work towards settlement. Final Pretrial Conference set for 2/14/2013 at 12:00 PM before Judge P. Kevin Castel. Any conference scheduled for a date prior thereto is adjourned. (Signed by Judge P. Kevin Castel on 12/5/2012) (ft) Modified on 12/5/2012 (ft). (Entered: 12/05/2012)
02/13/2013	<u>19</u>	ENDORSED LETTER addressed to Judge P. Kevin Castel from Emily E. Daughtry dated 02/12/2013 re: I write on behalf of both parties to respectfully request a two-week adjournment of the conference that is currently scheduled for February 14, 2013, at 12:00 pm. ENDORSEMENT: Conference Adjourned from 02/14/2013 to 03/01/2013 at 12:30 p.m. (Final Pretrial Conference set for 3/1/2013 at 12:30 PM before Judge P. Kevin Castel.) (Signed by Judge P. Kevin Castel on 02/13/2013) (jcs) (Entered: 02/13/2013)
03/01/2013		Minute Entry for proceedings held before Judge P. Kevin Castel: Status Conference held on 3/1/2013. Next conference is scheduled for March 19, 2013 at 10:30 a.m. (Nacanther, Florence) (Entered: 03/01/2013)
03/01/2013	<u>20</u>	ORDER FOLLOWING PRETRIAL CONFERENCE: The parties expect to have a signed stipulation of settlement to be presented to the Court within the next five business days. The next Case Management Conference will be held on March 19, 2013 at 10:30 a.m. Any conference scheduled for a date prior thereto is adjourned. (Case Management Conference set for 3/19/2013 at 10:30 AM before Judge P. Kevin Castel.) (Signed by Judge P. Kevin Castel on 3/1/2013) (ja) (Entered: 03/01/2013)
03/05/2013	<u>21</u>	STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL: This Action, encompassing both 12 Civ. 3461 and 12 Civ. 3480, is hereby dismissed with prejudice as to DOS and without prejudice as to DHS. However, this Court shall retain jurisdiction over the matter to the extent necessary to enforce the terms of this Stipulations. (Signed by Judge P. Kevin Castel on 3/5/2015) Filed In Associated Cases: 1:12-cv-03461-PKC, 1:12-cv-03480-PKC(ja) (Entered: 03/05/2013)